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STATE OF CALIFORNIA  
WATER RESOURCES CONTROL BOARD  
DIVISION OF DRINKING WATER

TO: City of Vallejo – Lakes System

202 Fleming Hill Road

Vallejo, Ca 94589

Attn: Franz Nestlerode, Assistant Public Works Director – Water  
Superintendent

City of Vallejo – Lakes System

CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS,

TITLE 22, SECTION 64426.1(b)(2) WATER SYSTEM NO. 4810021

CITATION NO. 02-04-14C-005

ISSUED SEPTEMBER 22, 2014

Section 116650 of the California Health and Safety Code authorizes the issuance of a citation to a public water system for violation of the California Safe Drinking Water Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with Section 116270) (hereinafter “California SDWA”), or any regulation, standard, permit or order issued or adopted thereunder.

1 The State Water Resources Control Board (Board), acting by and through its  
2 Division of Drinking Water (Division) and the Deputy Director for the Division  
3 (Deputy Director), hereby issues a citation to the City of Vallejo – Lakes System  
4 (Lakes System) (202 Fleming Hill Road, Vallejo, CA 94589) for failure to comply  
5 with California Code of Regulations (CCR), Title 22, Section 64426.1 subsection  
6 (b).

7  
8 **APPLICABLE AUTHORITIES**

9 Section 116650 of California Health and Safety Code provides:

- 10 (a) If the Division determines that a public water system is in violation of this  
11 chapter or any regulation, permit, standard, citation, or order issued or  
12 adopted thereunder, the department may issue a citation to the public water  
13 system. The citation shall be served upon the public water system  
14 personally or by certified mail. Service shall be deemed effective as of the  
15 date of personal service or the date of receipt of the certified mail. If a  
16 person to whom a citation is directed refuses to accept delivery of the  
17 certified mail, the date of service shall be deemed to be the date of mailing.
- 18 (b) Each citation shall be in writing and shall describe the nature of the violation  
19 or violations, including a reference to the statutory provision, standard,  
20 order, citation, permit,, or regulation alleged to have been violated.
- 21 (c) A citation may specify a date for elimination or correction of the condition  
22 constituting the violation.
- 23 (d) A citation may include the assessment of a penalty as specified in  
24 subdivision (e).
- 25 (e) The Division may assess a penalty in an amount not to exceed one  
26 thousand dollars (\$1000) per day for each day that a violation occurred, and  
27



1  
2 for each day that a violation continues to occur. A separate penalty may be  
3 assessed for each violation.  
4

5 **California Code of Regulation (CCR), Title 22, Section 64426.1 (b)(2) states in**  
6 **relevant part:**  
7

8 (b)(2) A public water system is in violation of the total coliform MCL when it  
9 collects fewer than 40 samples per month and more than one sample collected  
10 during any month is total coliform positive.  
11

12 **STATEMENT OF FACTS**

13 The Lakes System is operated under Water Supply Permit No. 02-04-99P-  
14 4810021, issued on March 31, 1999. The City of Vallejo operates and maintains  
15 the Lakes System, a small community water system that supplies domestic water  
16 to consumers in the unincorporated areas of Solano County commonly referred to  
17 as Green Valley, Gordon Valley, and Old Cordelia. The Lakes System serves  
18 approximately 1800 people through 850 active service connections. The water  
19 system has two approved raw water sources. The Solano Water Project supplies  
20 Lake Berryessa water via way of the Putah South Canal. The Lakes System also  
21 receives surface water from Lakes Frey and Madigan. The raw water sources are  
22 blended and then treated at the Lakes System's Green Valley Water Treatment  
23 Plant that has a treatment capacity of 1.0 mgd. The Green Valley Water  
24 Treatment Plant is a conventional water treatment plant with coagulation,  
25 flocculation, sedimentation, filtration, and post-chlorination with MIEX as a  
26 pretreatment process. The treatment plant uses sodium hypochlorite which is  
27

1 generated on-site to meet CT disinfection requirements and is added after  
2 filtration. The distribution system has a hypo-chlorinator at Mankas Corner to  
3 maintain chlorine disinfectant residual for water pumped to Upper Gordon Valley.  
4 The Lakes System storage consists of three above ground storage tank reservoirs  
5 which includes a 1.1 MG concrete storage tank located above the water treatment  
6 plant and two covered steel tanks located in the distribution system. Three pump  
7 stations convey treated water to seven pressure zones.  
8

9 Based on the approved bacteriological sampling site plan (Year 2012), the City of  
10 Vallejo staff each month will take a minimum of 7 routine samples for total coliform  
11 and E. coli analysis from the Lakes System's distribution system sample locations  
12 designated in its Sample Siting Plan.  
13

14 On June 16, 2014, the Lakes System collected a total of seven samples for the  
15 week for bacteriological quality. Of the seven routine samples, the sample  
16 collected at the Cordelia Fire Station was total coliform positive and fecal coliform  
17 negative.  
18

19 Pursuant to Title 22 CCR, Section 64424 (a) the Lakes System is required to  
20 collect a repeat sample set of least three samples for each total coliform positive  
21 sample. The three repeat samples were collected on June 18, 2014 at the original  
22 site, one within five service connections upstream of the original site, and one  
23 within five service connections downstream of the original site. All the repeat  
24 samples were negative for total coliform and E. coli.  
25  
26  
27



1 On the following week of June 24, 2014, the Lakes System collected seven weekly  
2 routine samples for bacteriological quality. The sample collected at South Kelly  
3 Road was total coliform positive and negative for E. coli. Three repeat samples  
4 were collected on June 26, 2014 at the original location and at the respective  
5 upstream and downstream locations within five service connections from the  
6 South Kelley Road tap. All three repeat samples were total coliform positive but  
7 negative for E. coli.  
8

### 9 **DETERMINATION**

10 With the two total coliform positive routine samples collected on June 16 and June  
11 24 and three positive total coliform repeat samples collected on June 26, 2014, the  
12 Lakes System is in violation of Section 64426.1(b)(2), CCR for the month of June  
13 2014 (a water system that's collect fewer than 40 samples per month is allowed  
14 one positive total coliform sample). The Lakes System returned to compliance in  
15 the following month of July 2014. The Lakes System conducted the required  
16 public notification prior to August 1, 2014 in conformance with Section 64463.4,  
17 Chapter 15, Title 22, CCR. The public notice was reviewed and approved by the  
18 Division on July 11, 2014 prior to distribution.

### 19 **Directives**

20  
21 The Lake System is hereby directed to take the following actions:

- 22  
23 1. Complete and return the attached Proof of Compliance Form to the Division  
24 by November 1, 2014.  
25

- 1
- 2 2. Prepare and submit a Corrective Action Plan (CAP). The plan shall include
- 3 an evaluation of the causes that led to the bacteriological contamination, the
- 4 follow-up actions taken to correct the problem, and preventative measures to
- 5 be taken to prevent the reoccurrence of bacteriological contamination in the
- 6 future. The CAP shall be submitted to the Division November 1, 2014.

7 All submittals required by this Citation shall be submitted to the Department at

8 the following address:

9

10 Robert Brownwood, P.E.  
11 San Francisco District Engineer  
12 State Water Resources Control Board  
13 Division of Drinking Water  
14 850 Marina Bay Parkway Bldg. P, 2<sup>nd</sup> Floor  
15 Richmond, CA 94804

16 **PARTIES BOUND**

17 This Citation shall apply to and be binding upon the Lakes System, its officers,  
18 directors, shareholders, agents, employees, contractors, successors, and  
19 assignees.

20 **SEVERABILITY**

21 The Directives of this Citation are severable, and Lakes System shall comply with  
22 each and every provision thereof, notwithstanding the effectiveness of any  
23 provision.

1  
2 FURTHER ENFORCEMENT ACTION

3 The California SDWA authorized the Board to: issue citation with assessment of  
4 administration penalties to a public water system for violation or continued  
5 violation of the requirements of the California SDWA or any permit, regulation,  
6 permit or order issued or adopted thereunder including, but not limited to failure to  
7 correct violation identified in a citation or compliance order. The California SDWA  
8 also authorizes the Board to take action to suspend or revoke a permit that has  
9 been issued to a public water system if the system has violated applicable law or  
10 regulations or has failed to comply with an order of the Board: and to petition the  
11 superior court to take various enforcement measures against a public water  
12 system that has failed to comply with an order of the Board. The Board does not  
13 waive any further enforcement action by issuance of this citation.

14 SEPTEMBER 22, 2014

15 Date

14 Robert Brownwood

15 Robert Brownwood, P.E.  
16 District Engineer  
17 Division of Drinking Water  
18 State Water Resources Control Board

19 Certified Mail No. 7006 3450 0001 8420 8488

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21  
22 Attachment:

23 1. Proof of Compliance Certification

24  
25 Cc: Solano County Environmental Health



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Bcc: S. Cajina (PDF). R. Brownwood, M. Yee, Enf, File, Chron

Certified Mail No. 7006 3450 0001 8420 8488

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ATTACHMENT

**PROOF OF COMPLIANCE**  
**Citation Number 02-04-14C-006**  
**City of Vallejo – Lakes System**  
**System Number: 4810021**

As required by Section 116450 of the California Health and Safety Code, I notified the users of the water supplied by the City of Vallejo-Lake System, of the total coliform maximum contaminant violation of Section 64426.1(b)(2), Chapter 15, Title 22, California Code of Regulations, for the compliance period of June 2014.

I complied with the directives of this citation as indicated below:

Required Action

Date Completed

1. Public notification

a. Hand delivery or direct mail

\_\_\_\_\_

b. Newspaper, posting in conspicuous places  
or community centers.

\_\_\_\_\_

\_\_\_\_\_  
Signature of Water System Representative

\_\_\_\_\_  
Date

**THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT. A COPY  
OF THE PUBLISHED NOTICE, DELIVERED NOTICE, AND POSTED NOTICE MUST BE  
ATTACHED TO THIS FORM**

**Disclosure:** Be advised that Section 116725 and 116730 of the California Health and Safety Code states that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached citation may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in county jail not to exceed one year, or by both the fine and imprisonment.